

conduct relating to the regulation of a drug product under the act. Dr. Anthony has failed to request a hearing and, therefore, has waived his opportunity for a hearing concerning this action.

**EFFECTIVE DATE:** November 7, 1997.

**ADDRESSES:** Application for termination of debarment to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Leanne Cusumano, Center for Drug Evaluation and Research (HFD-7), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-594-2041.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On July 26, 1993, the U.S. District Court for the Western District of Tennessee accepted Dr. Anthony's plea of guilty and entered judgment against him for, among other counts, one count of trading prescription drug samples, a Federal felony offense under section 503(c)(1) of the act (21 U.S.C. 353(c)(1)). This felony conviction was based on the unlawful trade of a drug sample of Ansaïd Tablets, which was not intended to be sold but rather was intended to promote the sale of the drug, in exchange for the drug Rocephin.

As a result of this conviction, FDA served Dr. Anthony by certified mail on October 12, 1994, a notice proposing to permanently debar him from providing services in any capacity to a person that has an approved or pending drug product application, and offered him an opportunity for a hearing on the proposal. The proposal was based on a finding, under section 306(a)(2)(B) of the act (21 U.S.C. 335a(a)(2)(B)), that Dr. Anthony was convicted of a felony under Federal law for conduct relating to the regulation of a drug product. Dr. Anthony was given 30 days to file objections and request a hearing. Dr. Anthony did not file objections or request a hearing. His failure to request a hearing constitutes a waiver of his opportunity for a hearing and a waiver of any contentions concerning his debarment.

**II. Findings and Order**

Therefore, the Director of the Center for Drug Evaluation and Research, under section 306(a) of the act, and under authority delegated to her (21 CFR 5.99(b)), finds that Dr. James Michael Anthony has been convicted of a felony under Federal law for conduct relating to the regulation of a drug product.

As a result of the foregoing finding, Dr. James Michael Anthony is permanently debarred from providing services in any capacity to a person with an approved or pending drug product application under sections 505, 507, 512, or 802 of the act (21 U.S.C. 355, 357, 360b, or 382), or under section 351 of the Public Health Service Act (42 U.S.C. 262), effective November 7, 1997 (sections 306(c)(1)(B) and (c)(2)(A)(ii) and 201(dd) (21 U.S.C. 321(dd))). Any person with an approved or pending drug product application who knowingly uses the services of Dr. Anthony, in any capacity, during his period of debarment, will be subject to civil money penalties (section 307(a)(6) of the act (21 U.S.C. 335b(a)(6))). If Dr. Anthony, during his period of debarment, provides services in any capacity to a person with an approved or pending drug product application, he will be subject to civil money penalties (section 307(a)(7) of the act). In addition, FDA will not accept or review any abbreviated new drug applications or abbreviated antibiotic drug applications submitted by or with the assistance of Dr. Anthony during his period of debarment.

Any application by Dr. Anthony for termination of debarment under section 306(d)(4) of the act should be identified with Docket No. 93N-0451 and sent to the Dockets Management Branch (address above). All such submissions are to be filed in four copies. The public availability of information in these submissions is governed by 21 CFR 10.20(j). Publicly available submissions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: October 29, 1997,

**Janet Woodcock,**

*Director, Center for Drug Evaluation and Research.*

[FR Doc. 97-29399 Filed 11-6-97; 8:45 am]

**BILLING CODE 4160-01-F**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Health Resources and Services Administration**

**Advisory Council; Notice of Meeting**

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body are scheduled to meet during the month of December 1997:

*Name:* HRSA Aids Advisory Committee.

*Time:* December 2-3, 1997 9:00 a.m.

*Place:* Loews L'Enfant Hotel, 80 L'Enfant Plaza, S.W., Washington, D.C. 20024.

The meeting is open to the public. *Agenda:* The topics to be discussed include the reorganization of the Ryan White CARE Act programs; Clinical Guidelines; and Access to Combination Therapies and Adherence Issues.

Anyone requesting information regarding the subject Committee should contact Joan Holloway, HIV/AIDS Bureau, Health Resources and Services Administration, Room 7-13, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443-9530.

Agenda Items are subject to change as priorities dictate.

Dated: November 3, 1997.

**Jane M. Harrison,**

*Advisory Committee Management Office, HRSA.*

[FR Doc. 97-29482 Filed 11-6-97; 8:45 am]

**BILLING CODE 4160-15-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**National Institutes of Health**

**National Institute of Child Health and Human Development; Closed Meeting**

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following National Institute of Child Health and Human Development Special Emphasis Panel (SEP) meeting:

*Name of Sep:* Initiation of Human Labor: Prevention of Prematurity.

*Date:* November 6-7, 1997.

*Time:* November 6—7:30 p.m.—10 p.m.; November 7—8:30 a.m.—adjournment.

*Place:* University of South West Medical Center/Dallas, 5323 Harry Hines Boulevard, Dallas, Texas 75235.

*Contact Person:* Gopal M. Bhatnagar, Ph.D., Scientific Review Administrator, NICHD, 6100 Executive Boulevard, Room 5E01, Rockville, MD 20852, Telephone: 301-496-1485.

*Purpose/Agenda:* To evaluate and review a research grant application.

This meeting will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C. The discussion of this application could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the application, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

This notice is being published less than 15 days prior to the meeting due to the urgent need to meet timing limitations imposed by the review and funding cycle.